

**09-07-2008**

My residence, post office address and country of citizenship are as stated directly below my name.

of the subject matter which is claimed and for which a patent is sought on the invention entitled

the specification of which

I further declare that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (hereinafter "the Office") all information known to me to be material to patentability of the subject matter which is claimed as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119 of any foreign application(s) for patent or inventor's certificate indicated below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority
<u>Number</u>	<u>Country</u>	<u>Day/Month/Year Filed</u>	<u>Claimed</u>
			Yes No
None			

I hereby claim the benefit under 35 U.S. C. §119(e) of any United States provisional application listed below:

**Filing Date**

None

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**Application Serial No.**

**Filing Date****Status (patented, pending, abandoned)**

None

I hereby appoint: Robert M. O'Keefe (Reg. No. 35,630), Richard D. Egan (Reg. No. 36,788), Brian W. Peterman (Reg. No. 37,908), and William W. Enders (Reg. No. 41,735), each an attorney of the firm of O'KEEFE, EGAN & PETERMAN, as its attorneys for so long as they remain with such firm, with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, and to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Address all telephone calls to Brian W. Peterman at telephone number (512) 347-1611.

Address all correspondence to:

**Brian W. Peterman**  
**O'KEEFE, EGAN & PETERMAN**  
**1101 Capital of Texas Highway South**  
**Building C, Suite 200**  
**Austin, TX 78746**  
**(512) 347-1611**  
**(512) 347-1615 (Fax)**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issued thereon.



---

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(c)) – INDEPENDENT INVENTOR

---

DOCKET NO.  
BAY3:008

Applicant or Patentee: EDWARD A. HUBBARD

Application No.: UNKNOWN

Filed: MARCH 30, 2000

Title: DISTRIBUTED BACK-UP SYSTEM AND ASSOCIATED METHOD

I hereby declare that I qualify as an independent inventor as defined in 37 CFR § 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above entitled invention described in the specification filed March 30, 2000.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CRR § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR § 1.9(d) or a nonprofit organization under 37 CFR § 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization  
☐ persons, concerns or organizations listed below

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment,

